

Amendment No. 1 to HB2296

Johnson P
Signature of Sponsor

AMEND Senate Bill No. 2277

House Bill No. 2296*

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 55, Chapter 20, is amended by adding Sections 2 through 10 as a new part 3.

SECTION 2. The department of transportation is authorized to develop and assist in the implementation of the "yellow dot" motor vehicle medical information program. The purpose of the "yellow dot" program is to assist drivers and passengers who participate in the program and emergency medical responders in reporting critical medical information in the event of a motor vehicle accident or a medical emergency involving a participant's vehicle.

SECTION 3. For purposes of this part, "emergency medical responder" means an emergency medical technician, emergency medical technician-paramedic, paramedic, other emergency medical services provider, physician or nurse on the scene or accompanying or attending a patient in an ambulance, and the term "other responder" means a fire fighter or law enforcement officer on the scene.

SECTION 4. The department of transportation may accept donations and grants from any source, including eligible federal safety funds, to pay the expenses the department of transportation incurs in the development and implementation of the "yellow dot" motor vehicle medical information program.

SECTION 5. The department of transportation or the governor's highway safety office may take reasonable measures to publicize the "yellow dot" program to potential participants and emergency medical responders. In publicizing the "yellow dot" program, the department may cooperate with local law enforcement agencies, fire departments, emergency medical services agencies, human resources agencies, statewide development districts with direct contact with senior citizen centers in such districts, and other governmental agencies, especially

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agencies which assist persons who are fifty-five (55) years of age or older. The department may also cooperate with and seek the assistance of interested non-profit organizations, including, but not limited to, the American Association of Retired Persons, American Automobile Association, and the Tennessee Coalition for the Enhancement of Senior Drivers.

SECTION 6.

(a) The department of transportation is authorized to create a standard medical information form providing space for each participant to supply, at a minimum, the following information:

- (1) Name;
- (2) Photograph;
- (3) Emergency contact information of no more than two (2) persons;
- (4) Medical information, including medical conditions, recent surgeries, allergies, and medications being taken;
- (5) Hospital preference;
- (6) No more than two (2) physicians' contact information; and
- (7) The date on which the participant completed the form.

(b) The medical information form shall include a statement that the "yellow dot" program acts as a facilitator only, and that all information supplied on the medical information form is the sole responsibility of the participant.

(c) The medical information form shall also include statements that the participant supplies the medical information voluntarily, and that the participant authorizes the disclosure to, and use of, the medical information by emergency medical responders and other responders for the purposes described in Section 9.

SECTION 7.

(a) The department of transportation may provide for, assist in, or authorize the printing of the medical information form and assembling of a "yellow dot" folder containing the medical information form and a "yellow dot" decal with an adhesive backing.

(b) Upon request, the department may provide "yellow dot" folders to the agencies and non-profit organizations identified in Section 5, subject to the limitations of resources for funding the program, and/or the department may allow such agencies and organizations to copy the medical information form and assemble "yellow dot" folders for distribution to participants, or the department may authorize these agencies and organizations to prepare "yellow dot" folders for distribution.

(c) The department may also provide for dissemination of the medical information form and other "yellow dot" materials through the internet.

(d) The department shall not charge any fee to participate in the "yellow dot" program.

SECTION 8.

(a) Each participant shall receive a "yellow dot" folder containing a "yellow dot" decal and a medical information form. Participants may include passengers as well as operators of a motor vehicle.

(b) The "yellow dot" decal shall be affixed on the rear window in the left lower corner of any motor vehicle other than a motorcycle. On motorcycles, the "yellow dot" decal shall be affixed in a secure, visible location on the rear of the vehicle.

(c) Each participant shall complete the medical information form and place it in the "yellow dot" folder. The "yellow dot" folder or folders shall be stored in the glove compartment of the motor vehicle, or in the compartment attached to a motorcycle.

SECTION 9.

(a) If a driver or passenger of a motor vehicle becomes involved in a motor vehicle accident or emergency situation, and a "yellow dot" decal is affixed to the

vehicle, an emergency medical responder or other responder at the scene is authorized to search the compartment of the vehicle for a "yellow dot" folder or folders.

(b) An emergency medical responder or other responder may use the information contained in the "yellow dot" folder for the following purposes:

- (1) To identify a participant in the "yellow dot" program;
- (2) To ascertain whether the participant has a medical condition that may impede communications with the responder;
- (3) To communicate with the participant's emergency contacts about the location and general condition of the participant; or
- (4) To consider the person's current medications and pre-existing medical conditions when emergency medical treatment is administered for any injury the participant suffers.

SECTION 10. Except for wanton or willful conduct, no emergency medical responder or other responder, nor any employer of an emergency medical responder or other responder, shall incur any liability if the emergency medical responder or other responder is unable to make contact, in good faith, with an emergency contact person, or disseminates or fails to disseminate any information from the "yellow dot" folder to other emergency medical responders, hospitals, or any healthcare providers who render emergency medical treatment to the participant. No health care provider or employer of a health care provider shall incur any civil or criminal liability if the provider relies in good faith on the information provided to them through the program.

SECTION 11. This act shall take effect upon becoming a law, the public welfare requiring it.